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File: 2000.071000

January 23, 2001

VIA FEDERAL EXPRESS

Mr. Broc Stirton
ADVANCED MICRO DEVICES, INC.
5204 E. Ben White Blvd., M/S 608
Austin, TX 78741

*Re: AMD Disclosure Entitled 'METHOD OF MEASURING IMPLANT
PROFILES USING SCATTEROMETRIC TECHNIQUES'
Inventors: James Broc Stirton
Your Reference: TT4354; Our Reference: 2000.071000*

Dear Broc:

Enclosed is a draft application that we have prepared for the above-referenced disclosure. Please spend sufficient time reviewing the entire application so that you understand the content of the application, including each of the claims. You should make sure that the application enables one skilled in the art to make and use the invention and that it discloses the best mode of which you are aware for carrying out the invention.

If the application is inaccurate or incomplete, please mark your changes directly on the application itself and return it to me for revision. Please provide any and all feedback directly to my attention as soon as possible.

In reviewing the application, and especially the claims, keep in mind any relevant prior art of which you are aware. It is important that the claims accurately define your invention and that the claims distinguish over the prior art. If any prior art comes to your attention now or during the pendency of the application, please send it to me.

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We would like to take this opportunity to address several important matters:

Information Disclosure Statement

As we have discussed, a duty of candor and good faith toward the Patent Office rests on the inventors and on every other individual who is substantively involved in the preparation or prosecution of a patent application. All such individuals have a duty to disclose to the Office known information that may be material to the patentability of a pending claim. Such information is material to patentability when: (1) it establishes, by itself or in combination with other information, a *prima facie* case of unpatentability; or (2) it refutes, or is inconsistent with a position the applicant takes in (a) opposing an argument of unpatentability relied on by the patent examiner, or (b) asserting an argument of patentability.

An Information Disclosure Statement should therefore be filed in the Patent Office within about three months of the filing date of the patent application to comply with this duty of disclosure, listing material publications or pertinent information of which you are aware. This includes:

- (a) products or services in public use or on sale in this country prior to your U.S. filing date;
- (b) all related material (including international patent applications) published in this country or a foreign country prior to your U.S. filing date;
- (c) any related U.S. patents; and
- (d) any pertinent applications published prior to your filing date.

We request that you supply us with copies of all material prior art references of which you are aware and any other information which should be disclosed to the Patent Office. We would like to file the Information Disclosure Statement within 3 months of the filing date, so we need you to supply the copies to us about a month prior to that time. Please feel free to call me if you have any questions as to what should be included.

Continuing Duty of Candor

We would like to emphasize that the duty of candor does not cease once the Information Disclosure Statement has been filed. The duty remains throughout examination of the patent application. Therefore, if any additional information of relevance comes to your attention during examination of this patent application, it is important that you advise us immediately so that such information can be submitted to the Patent Office.

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Furthermore, for as long as any patent that may be granted on this patent application is of value to you, we recommend that you keep us advised of any relevant information that comes to light. We can then consider such and advise on options such as limiting the claims to avoid such prior art by filing an application for a reissue patent or an application for reexamination.

Developments and Improvements

It is important that you advise us promptly of any developments or improvements that may affect the uses or value of this invention. You should insure, in particular, that you advise us of such developments or improvements before any disclosure or public use has occurred. If such developments or improvements are of sufficient importance, it may be possible, and indeed advisable, to take immediate steps to secure specific protection for such developments or improvements. This could be done by filing a continuation-in-part patent application, or by filing a new independent patent application, both of which probably require administrative approval.

Examination

In general, an Examiner reviews applications in the order in which they are received. A first office action may be issued within a year, although the time period may vary.

Marking

In commercial exploitation of this invention, it is advisable to mark articles and literature relating to the invention to indicate that a patent application is pending. The notation "Patent Pending" or "Patent Applied For" may be used in connection with any product covered by any claim of the application. This notation may also be used in any advertising, business literature or scientific publication. Products or methods relating to claims in the patent application may be conveniently identified in footnotes as being subjects of one or more pending patent applications. It is usually advisable, however, not to disclose the serial number or filing date of the patent application while it is still pending.

Maintenance Fees

Maintenance fees become payable on all patents (and reissue patents) which issue on applications filed on or after December 12, 1980. The maintenance fees are payable before the expiration of a period of 3½ years, a period of 7½ and a period of 11½ years respectively, calculated from the date of patent issue. There is a six-month grace period for payment of such maintenance fees.

We will docket the relevant dates in our in-house computer system upon issue of the patent and attempt to advise you accordingly at the appropriate intervals. However, since

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reminders may not reach you, and since mailing addresses and circumstances can change over time, *Williams, Morgan & Amerson, P.C. does not assume responsibility for reminding patent owners of payment deadlines, nor for ensuring that annuities are in fact paid on time.*

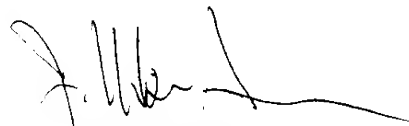
Corresponding Patent Protection in Other Countries

The United States and many other countries are parties to an international treaty called the Paris Convention. Under this treaty you may file a corresponding patent application in any of these other countries and claim the benefit of your United States filing date, provided that the corresponding application is filed within one year from the day on which your United States application was filed. Certain events might have occurred or may occur that will require corresponding foreign applications to be filed before the end of this one-year convention period.

Unless you have concluded that you do not want any corresponding foreign patent applications, you should take this matter up with us as soon as possible. We can then discuss the benefits, requirements, filing procedures, and costs of foreign coverage.

If we can be of further assistance, or if you have any questions concerning the patent application, the preparation of an Information Disclosure Statement, or any of the above topics, please contact us at your convenience.

Regards,



J. Mike Amerson

JMA/mp

Enclosure

cc: Paul S. Drake, Esq. (w/enc.)